UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,058	08/03/2001	Michael Georg Pauliks	YOR920010146US1/I31-0003	7585

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EXAMINER
TRUONG, CAM Y T

ART UNIT	PAPER NUMBER
2162	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/922,058	PAULIKS ET AL.
	Examiner	Art Unit	
	Cam Y T Truong	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *14 October 2004.*

2a) ☒ This action is **FINAL.**　　2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-5,7-15,17-27 and 29-32* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-5,7-15,17-27 and 29-32* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All　b) ☐ Some * c) ☐ None of:

　　　　1. ☐ Certified copies of the priority documents have been received.

　　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Applicant has filed Declaration Under 37 CFR 1.131 on 10/14/2004. Claims 1-5,

7-15, 17-27 and 29-32 are pending in this Office Action.

Applicants declared that the patent application prior to October 29, 2001 and

then worked on diligently reducing the invention to practice in the United States prior to

10/29/2001. However, the prior art of record Jenkins has priority date based on

provisional application on 10/27/2000. Thus, the Declaration Under 37 CFR 1.131

cannot get over the prior art of record.

Applicant's arguments filed 10/14/2004 have been fully considered but they are

not persuasive.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-5, 7-15, 17-27 and 29-32 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Jenkins et al (or hereinafter "Jenkins") (USP 2002/0188499).

As to claims 1 and 23, Jenkins teaches the claimed limitations:

"creating at least one rule database" as the planning component 210 can

recommend shipments in one of two modes: either unconstrained or constrained. For

unconstrained mode, the user needs to define sourcing shipping quantities and then

store this data in the database 600. Otherwise, for constrained mode, the user sets the

following database components: sourcing, assign allocation, recommended shipments,

and arrival calendars, set stock available duration and minimum allocation duration,

assign location priorities, assign allocation strategies, and set push mode. The created

components database in the planning component 210 is represented as one rule

database or the data in the database 600 is represented as one rule database (page 11,

col. Left, lines 32-52);

"assigning a priority to a demand record, said demand record containing a

demand record attribute field and a demand record priority field" as each item has

priority field including the value of the field and the value of draw quantity field. For

example, the first item has priority value 1, and draw quantity 1.0. The above

information shows that the system assigns a priority value to each item. Each item is

represented as a demand record (table 13, page 23);

"said assigning including: selecting said at least one rule database, said at least

one rule database including at least one record, a rule database attribute field that

correlates to said demand record attribute field, and a rule database priority field "as

shown in table 3, the planning component 210 creates recommended shipments when

source stock is not limited within the minimum allocation duration by using following

database components: sourcing, assign allocation, recommended shipments, and

arrival calendars, set stock available duration and minimum allocation duration, assign

location priorities, assign allocation strategies, and set push mode. In this table each

demand record attribute field correlates to a rule database attribute field. For example,

location field of demand record correlates to assign location field of component

database. The above information indicates that at least one database component is

selected (page 11, col. Left, lines 32-52; page 13, col. Left, lines 22-30). Also, the

fulfillment 100 includes rules, which are assigned to each SKU in database 600. The

database 600 has a list of SKU's, a minimum safety level for each SKU at each location

field, demand type priority field. Each field in the fulfillment 100 corresponds to each

item location field and demand type priority field (page 2, lines 1-25; page 17, lines 22-

67; page 21-55).

Jenkins does not explicitly teach the claimed limitation "querying said at least one

rule database for a corresponding rule database record that contains data in said rule

database attribute field that matches data in said demand record attribute field; based

upon said querying, updating data in said demand record priority field with data from

said corresponding rule database priority field". However, Jenkins teaches the user can

specify potential alternates, or substitutes, for an item. The system 100 allows the user

to track when substitution logic has recommended shipments of substitute items in a

database to meet the demand of primary item. The primary demand includes Eff. Date,

priority field. Thus, when a substitute item meets the demand of primary item, it means

that fields of substitute item match the fields of primary item. This information shows

that the system queries the system 100 to retrieve substitutes items (table 3, page 23,

lines 39-40; page 24, lines 7-56). Jenkins also teaches modifying supply item to fulfill

the order with the alternative item based on priority field of fulfillment 100. Supply item

includes priority file and Effi. Date field. When system modifies supply item, the system

has included a query to modify (fig. 1, page 27, lines 24-40).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Jenkins teaching of the user can specify potential

alternates, or substitutes, for an item. The system 100 allows the user to track when .

substitution logic has recommended shipments of substitute items in a database to

meet the demand of primary item. The primary demand includes Eff. Date, priority field;

and modifying supply item to fulfill the order with the alternative item based on priority

field of fulfillment 100 to allowing the user to track when substitution logic has

recommended shipments of substitute items in a database to meet the demand of

primary item and substituting item that meets the demand of primary item in order to

adjust operations for meeting existing items or order commitments, provide the user

with real-time network visibility of planned shipments, in-transits, available inventory,

and expiring product.

As to claims 2, 12 and 24, Jenkins teaches the claimed limitation "wherein said

data in said corresponding rule database attribute field contains an explicit value

operable for specifying a priority to be given to a demand record" as (table 13, page 23;

(table 3, page 23, lines 39-40; page 24, lines 7-56).

As to claims 3, 13 and 25, Jenkins does not teach explicitly the claimed limitation

"wherein said data in said corresponding rule database attribute field contains a

hierarchy value and operable for specifying a priority to be given to a hierarchy level

defined with said rule database attribute field; wherein said match occurs if said data in

said demand record attribute field is contained within said hierarchy value" as the user

can specify potential alternates, or substitutes, for an item. The system 100 allows the

user to track when substitution logic has recommended shipments of substitute items in

a database to meet the demand of primary item. The primary demand includes Eff.

Date, priority field. Thus, when a substitute item meets the demand of primary item, it

means that fields of substitute item meets match the fields of primary item. This

information shows that the system queries the system 100 to retrieve substitutes items

(table 3, page 23, lines 39-40; page 24, lines 7-56).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Jenkin's teaching of allows the user to track when

substitution logic has recommended shipments of substitute items in a database to

meet the demand of primary item in order to avoid supply conflicts such as unexpected

delays in production, by rerouting and reapplying resources.

As to claims 4, 14 and 26, Jenkins teaches the claimed limitation "wherein said

data in said demand record attribute field is not used in said matching" as (page 12,

lines 45-61), "wherein said data in said corresponding rule database attribute field

contains a wildcard value operable for specifying a default priority value to be given to a

hierarchy level defined with said rule database attribute field" as (page 19, col. Left,

lines 20-50).

As to claims 5, 15 and 27, Jenkins teaches the claimed limitation "wherein said demand record attribute field includes due date, customer, and demand type" as each item attributes includes shipping date and demand type and customer (page 23, col. Right, lines 15-60).

As to claims 7, 17 and 29, Jenkins teaches the claimed limitation updating said at least one record in said at least one rule database" as the user sets up the database 600 and specify properties for the material allocation component 500 process, whenever the user uses the material allocation component. Each time a user sets up the database 600, it means that the user updates database 600 (page, 25, lines 51-60).

As to claims 8, 18 and 30, Jenkins teaches the claimed limitation "creating said hierarchy value, said hierarchy value containing a hierarchy level" as a hard expiration date is used with products that have a limited shelf life based on a date rather than a duration. A calendar includes dates from 1/2000 to 12/200. This information shows that the system creates a hierarchy value (page 7, col. Right, lines 37-44).

As to claims 9, and 31, Jenkins teaches the claimed limitation "creating said hierarchy value, said hierarchy value containing said explicit level" as each SKU in the demand/supply tree based on the information in the database 600. A hard expiration date is used with products that have a limited shelf life based on a date rather than

duration. A calendar includes dates from 1/2000 to 12/200. This information shows that the system creates a hierarchy value (page 7, col. Right, lines 37-44; page 26, lines 40-55).

As to claim 31, Jenkins teaches the claimed limitation "creating said hierarchy value, said hierarchy value containing an explicit level" as each SKU in the demand/supply tree based on the information in the database 600. A hard expiration date is used with products that have a limited shelf life based on a date rather than duration. A calendar includes dates from 1/2000 to 12/200. This information shows that the system creates a hierarchy value (page 7, col. Right, lines 37-44; page 26, lines 40-55).

As to claims 10 and 32, Jenkins teaches the claimed limitations:

"creating at least one rule database" as the planning component 210 can recommend shipments in one of two modes: either unconstrained or constrained. For unconstrained mode, the user needs to define sourcing shipping quantities and then store this data in the database 600. Otherwise, for constrained mode, the user sets the following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode. The created components database in the planning component 210 is represented as one rule

database or the data in the database 600 is represented as one rule database (page 11, col. Left, lines 32-52);

"assigning a priority to a demand record, said demand record containing a demand record attribute field and a demand record priority field" Jenkins teaches each item has priority field including the value of the field and the value of draw quantity field. For example, the first item has priority value 1, and draw quantity 1.0. The above information shows that the system assigns a priority value to each item.   Each item is represented as a demand record (table 13, page 23);

"selecting said at least one rule database, said at least one rule database including at least one record, a rule database attribute field that correlates to said demand record attribute field, and a rule database priority field" as shown in table 3, the planning component 210 creates recommended shipments when source stock is not limited within the minimum allocation duration by using following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode.   In this table each demand record attribute field correlates to a rule database attribute field. For example, location field of demand record correlates to assign location field of component database. The above information indicates that at least one database component is selected (page 11, col. Left, lines 32-52; page 13, col. Left, lines 22-30). Also, the fulfillment 100 includes rules, which are assigned to each SKU in database 600. The database 600 has a list of SKU's, a minimum safety level for each SKU at each location field, demand type priority

field. Each field in the fulfillment 100 corresponds to each item location field and demand type priority field (page 2, lines 1-25; page 17, lines 22-67; page 21-55; page 5, col. Right, lines 31-38);

"said matching comprising: querying said at least one rule database for an explicitly data match" as if the planning component 210 can find inventory that matches the expiration date of an in-transit and is available on or before the in-transit is scheduled to ship, then it draws from this inventory to meet the requirement. The inventory includes items in database 600. Each item contains source, destination, effective date, i.e., item cookie has effective date 1/5. The above information shows that the system queries inventory or items in database for an explicitly data match. Effective data 1/5 is represented as explicitly data (page 6, col. Right, table 2, page 21, col. Left, lines 53-58, col. Right, lines 25-30);

Jenkins does not explicitly teach the claimed limitation "querying said at least one rule database for a corresponding rule database record that contains data in said rule database attribute field that matches data in said demand record attribute field; if no said explicit data match exists querying said at least one rule database for a hierarchy value match; if no said explicit data match or said hierarchy value data match exists querying said at least one rule database for a wildcard match; based upon said querying, updating data in said demand record priority field with data from said corresponding rule database priority field".

However, Jenkins teaches that the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic

has recommended shipments of substitute items in a database to meet the demand of

primary item. The primary demand includes Effective. Date, priority field. Thus, when a

substitute item meets the demand of primary item, it means that fields of substitute item

match the fields of primary item. This information shows that the system queries the

system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-

56). Jenkins also teaches if the planning component cannot find an appropriate match,

it must use inventory that expires later than the expiration date on the in transit and is

available on or before the in transit is scheduled to ship. The inventory includes items in

database 600. Each item contains source, destination, effective date, i.e., item cookie

has effective date 1/5. An expiration date is used with products that have a limited shelf

life based on a date rather than duration. An example of this type of product is a printed

calendar. Since a calendar that includes dates from 1/2000 to 12/2000, value of

expiration date is a hierarchy value. The above information shows that the system

matches expiration date of inventory with the expiration date of an in transit for a

hierarchy value match (page 21, col. Right, lines 56-59, col. Left, lines 25-30; page 7,

col. Right, lines 37-44). In addition, Jenkins teaches modifying supply item to fulfill the

order with the alternative item based on priority field of fulfillment 100. Supply item

includes priority file and Effi. Date field; thus, when the system modifies supply item, the

system has to modify priority field of supply item too (fig. 1, page 27, col. Right, lines 24-

40, page 7, col. Right, lines 24-25).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Jenkins teaching of allowing the user to track when

substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item, substituting item that meets the demand of primary item and if the planning component cannot find an appropriate match, it must use inventory that expires later than the expiration date on the in-transit and is available on or before the in-transit is scheduled to ship; modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100 in order to provide the user with real-time network visibility of planned shipments, in-transits, available inventory, and expiring product and avoid supply conflicts such as unexpected delays in production, by rerouting and reapplying resources.

As to claim 11, Jenkins teaches the claimed limitations:

"a storage device storing master planning priority assignment data" as fulfillment server stores material planning (fig. 1A-1B, page 2, col. Right, lines 1-34);

"a user system" as the user can manipulate those inventory components by changing database values that affect the forecast or plan, the opening an update model or the planning component 210. This information shows that the system includes a user system to allow the user can to manipulate those inventory (page 5, col. Right, lines 32-33);

"and a host system in communication with said storage device and said user systems" as the system 100 allows a user to see how the components of a SKU's inventory are affected by changes to its forecast or distribution plan: average cycle stock, average stock and safety stock. This information shows that the system has

included a storage device to store a SKU's inventory. The system 100 is represented

as a host system (page 5, col. Right, lines 30-33);

"said host system implementing a process comprising: creating at least one rule

database" as the planning component 210 can recommend shipments in one of two

modes: either unconstrained or constrained. For unconstrained mode, the user needs

to define sourcing shipping quantities and then store this data in the database 600.

Otherwise, for constrained mode, the user sets the following database components:

sourcing, assign allocation, recommended shipments, and arrival calendars, set stock

available duration and minimum allocation duration, assign location priorities, assign

allocation strategies, and set push mode. The created components database in the

planning component 210 is represented as one rule database or the data in the

database 600 is represented as one rule database (page 11, col. Left, lines 32-52);

"assigning a priority to a demand record, said demand record containing a

demand record attribute field and a demand record priority field" Jenkins teaches each

item has priority field including the value of the field and the value of draw quantity field.

For example, the first item has priority value 1, and draw quantity 1.0. The above

information shows that the system assigns a priority value to each item. Each item is

represented as a demand record (table 13, page 23);

"said assigning including: selecting said at least one rule database" as when

system 100 calculates safety stock for a SKU that is using a safety stock rule with a

forward coverage component, it checks the template. If the SKU is assigned to a

template, the system finds the rows in the data in the database 600 that apply to the

specified template. The above information shows that the system assigns and identify

rule for database 600 (page 5, col. Right, lines 31-38),

"said at least one rule database including at least one record, a rule database

attribute field that correlates to said demand record attribute field, and a rule database

priority field" as shown in table 3, the planning component 210 creates recommended

shipments when source stock is not limited within the minimum allocation duration by

using following database components: sourcing, assign allocation, recommended

shipments, and arrival calendars, set stock available duration and minimum allocation

duration, assign location priorities, assign allocation strategies, and set push mode. In

this table each demand record attribute field correlates to a rule database attribute field.

For example, location field of demand record correlates to assign location field of

component database. The above information indicates that at least one database

component is selected (page 11, col. Left, lines 32-52; page 13, col. Left, lines 22-30).

Also, the fulfillment 100 includes rules, which are assigned to each SKU in database

600. The database 600 has a list of SKU's, a minimum safety level for each SKU at

each location field, demand type priority field. Each field in the fulfillment 100

corresponds to each item location field and demand type priority field (page 2, lines 1-

25; page 17, lines 22-67; page 21-55).

Jenkins does not explicitly teach the claimed limitation "querying said at least one

rule database for a corresponding rule database record that contains data in said rule

database attribute field that matches data in said demand record attribute field; based

upon said querying, updating data in said demand record priority field with data from said corresponding rule database priority field".

However, Jenkins teaches that the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item. The primary demand includes Eff. Date, priority field. Thus, when a substitute item meets the demand of primary item, it means that fields of substitute item meets match the fields of primary item. This information shows that the system queries the system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-56). Jenkins also teach modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100. Supply item includes priority file and Effi. Date field; thus, when the system modifies supply item, the system has to modify priority field of supply item too (fig. 1, page 27, lines 24-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jenkins teaching of allowing the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item and substituting item that meets the demand of primary item; modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100 in order to provide the user with real-time network visibility of planned shipments, in-transits, available inventory, and expiring product and avoid supply conflicts such as unexpected delays in production, by rerouting and reapplying resources.

As to claims 22, Jenkins teaches the claimed limitations:

"at least one rule database" as the planning component 210 can recommend shipments in one of two modes: either unconstrained or constrained. For unconstrained mode, the user needs to define sourcing shipping quantities and then store this data in the database 600. Otherwise, for constrained mode, the user sets the following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode. The created components database in the planning component 210 is represented as one rule database or the data in the database 600 is represented as one rule database (page 11, col. Left, lines 32-52);

"a storage device storing master planning priority assignment data associated with said at least one rule database" as fulfillment server stores material planning (fig. 1A-1B; page 2, col. Right, lines 1-35);

"a user system" as the user can manipulate those inventory components by changing database values that affect the forecast or plan, the opening an update model or the planning component 210. This information shows that the system includes a user system to allow the user can to manipulate those inventory (page 5, col. Right, lines 32-33);

"and a host system in communication with said storage device and said user systems" as the system 100 allows a user to see how the components of a SKU's

inventory are affected by changes to its forecast or distribution plan: average cycle stock, average stock and safety stock. This information shows that the system has included a storage device to store a SKU's inventory. The system 100 is represented as a host system (page 5, col. Right, lines 30-33);

"said host system implementing a process comprising: creating at least one rule database" as the planning component 210 can recommend shipments in one of two modes: either unconstrained or constrained. For unconstrained mode, the user needs to define sourcing shipping quantities and then store this data in the database 600. Otherwise, for constrained mode, the user sets the following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode. The created components database in the planning component 210 is represented as one rule database or the data in the database 600 is represented as one rule database (page 11, col. Left, lines 32-52);

"assigning a priority to a demand record, said demand record containing a demand record attribute field and a demand record priority field" Jenkins teaches each item has priority field including the value of the field and the value of draw quantity field. For example, the first item has priority value 1, and draw quantity 1.0. The above information shows that the system assigns a priority value to each item. Each item is represented as a demand record (table 13, page 23);

"said assigning including: selecting said at least one rule database" as when system 100 calculates safety stock for a SKU that is using a safety stock rule with a

forward coverage component, it checks the template. If the SKU is assigned to a

template, the system finds the rows in the data in the database 600 that apply to the

specified template. The above information shows that the system assigns and identify

rule for database 600 (page 5, col. Right, lines 31-38),

"said at least one rule database including at least one record, a rule database

attribute field that correlates to said demand record attribute field, and a rule database

priority field" as shown in table 3, the planning component 210 creates recommended

shipments when source stock is not limited within the minimum allocation duration by

using following database components: sourcing, assign allocation, recommended

shipments, and arrival calendars, set stock available duration and minimum allocation

duration, assign location priorities, assign allocation strategies, and set push mode. In

this table each demand record attribute field correlates to a rule database attribute field.

For example, location field of demand record correlates to assign location field of

component database. The above information indicates that at least one database

component is selected (page 11, col. Left, lines 32-52; page 13, col. Left, lines 22-30).

Also, the fulfillment 100 includes rules, which are assigned to each SKU in database

600. The database 600 has a list of SKU's, a minimum safety level for each SKU at

each location field, demand type priority field. Each field in the fulfillment 100

corresponds to each item location field and demand type priority field (page 2, lines 1-

25; page 17, lines 22-67; page 21-55);

"said matching comprising: querying said at least one rule database for an

explicitly data match" as if the planning component 210 can find inventory that matches

the expiration date of an in-transit and is available on or before the in-transit is

scheduled to ship, then it draws from this inventory to meet the requirement. The

inventory includes items in database 600. Each item contains source, destination,

effective date, i.e., item cookie has effective date 1/5. The above information shows

that the system queries inventory or items in database for an explicitly data match.

Effective data 1/5 is represented as explicitly data (page 6, col. Right, table 2, page 21,

col. Left, lines 53-58, col. Right, lines 25-30).

Jenkins does not explicitly teach the claimed limitation "query said at least one

rule database for a corresponding rule database record that contains data in said rule

database attribute field that matches data in said demand record attribute field; if no

said explicit data match exists querying said at least one rule database for a hierarchy

value match; and if no said explicit data match or said hierarchy value data match exists

querying said at least one rule database for a wildcard match; based upon said

querying, and updating data in said demand record priority field with data from said

corresponding rule database priority field".

However, Jenkins teaches that the user can specify potential alternates, or

substitutes, for an item. The system 100 allows the user to track when substitution logic

has recommended shipments of substitute items in a database to meet the demand of

primary item. The primary demand includes Effective. Date, priority field. Thus, when a

substitute item meets the demand of primary item, it means that fields of substitute item

match the fields of primary item. This information shows that the system queries the

system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-

56). Jenkins also teaches if the planning component cannot find an appropriate match,

it must use inventory that expires later than the expiration date on the in-transit and is

available on or before the in-transit is scheduled to ship. The inventory includes items

in database 600. Each item contains source, destination, effective date, i.e., item

cookie has effective date 1/5. An expiration date is used with products that have a

limited shelf life based on a date rather than duration. An example of this type of

product is a printed calendar. Since a calendar that includes dates from 1/2000 to

12/2000, value of expiration date is a hierarchy value. The above information shows

that the system matches expiration date of inventory with the expiration date of an in

transit for a hierarchy value match (page 21, col. Right, lines 56-59, col. Left, lines 25-

30; page 7, col. Right, lines 37-44). In addition, Jenkins teaches modifying supply item

to fulfill the order with the alternative item based on priority field of fulfillment 100.

Supply item includes priority file and Effi. Date field; thus, when the system modifies

supply item, the system has to modify priority field of supply item too (fig. 1, page 27,

lines 24-40).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Jenkins teaching of allowing the user to track when

substitution logic has recommended shipments of substitute items in a database to

meet the demand of primary item and substituting item that meets the demand of

primary item and if the planning component cannot find an appropriate match, it must

use inventory that expires later than the expiration date on the in transit and is available

on or before the in transit is scheduled to ship; modifying supply item to fulfill the order

with the alternative item based on priority field of fulfillment 100 in order to provide the

user with real-time network visibility of planned shipments, in-transits, available

inventory, and expiring product and avoid supply conflicts such as unexpected delays in

production, by rerouting and reapplying resources.

As to claim 20, Jenkins teaches the claimed limitation "a network providing

communication between the host system and the user system" as (page 1, col. Right,

lines 31-35).

As to claim 21, Jenkins teaches the claimed limitation "a network providing

communication between the host system and the user system" as (fig. 1, page 1, col.

Right, lines 31-35).

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Busey et al (US 6377944).

5.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Contact Information

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cam Y T Truong whose telephone number is (571) 272-

4042. The examiner can normally be reached on Monday to Firday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Cam-Y Truong
Patent Examiner
Art Unit 2162
1/3/2005